

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NORTH DAKOTA**

United States of America,	)	
	)	
Plaintiff,	)	<b>ORDER</b>
	)	
vs.	)	
	)	
Henry Lee Gipp,	)	Case No. 1:13-cr-018
	)	
Defendant.	)	

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Defendant was ordered detained and remanded into U.S. Marshal's Service custody pending final disposition of this matter. He is currently being held at the Pennington County Jail in Rapid City, South Dakota. On April 12, 2016, he entered a plea to the offense of conspiracy to distribute and possess with intent to distribute methamphetamine as charged in an Information. His sentencing is scheduled for July 25, 2016, at in Bismarck, North Dakota, before Judge Hovland.

On June 8, 2016, defendant filed a motion requesting to be transferred from the Pennington County Jail ("Pennington") to another correctional facility, preferably the Stutsman County Correctional Center or the James River Correctional Center in Jamestown, North Dakota, due to concerns about Pennington's "detrimental environment."

The housing of prisoners pre-sentence is a matter committed to the discretion of the United States Marshal's Service and the authority of this court to direct any particular placement, if it exists at all, is very limited. See United States v. Johnson, 225 F. Supp.2d 982 (N.D. Iowa 2002) (affirming a magistrate judge's denial of a pretrial detainee's motion for transfer to a different facility). Here, there is not sufficient grounds to grant defendant's motion putting aside the question of the court's authority. See id. Accordingly, defendant's motion (Doc. No. 447) is **DENIED**.

**IT IS SO ORDERED.**

Dated this 10th day of June, 2016.

/s/ Charles S. Miller, Jr. \_\_\_\_\_  
Charles S. Miller, Jr., Magistrate Judge  
United States District Court